

RECEIVED  
CENTRAL FAX CENTER

JUL 17 2007

www.fasken.com

Fasken Martineau DuMoulin LLP  
Barristers and Solicitors  
Patent and Trade-mark Agents

2100 - 1075 Georgia Street West  
Vancouver, BC Canada V6E 3G2

604 631 3131 Telephone  
604 631 3232 Facsimile

FASKEN  
MARTINEAU 

## FACSIMILE COVER SHEET

Date: July 17, 2007

TO	Firm and City	Telephone	Facsimile
Mohammad M. Ali	USPTO, Alexandria, VA	1 571 272 4808	1 571 273 8300
Mail Stop Amendment	USPTO, Alexandria, VA		1 571 273 8300

FROM	Telephone	Facsimile
Doran J. Ingalls dingalls@van.fasken.com	604 631 4743	604 632 4743

Pages (including cover): 15

File/Sender's ID: 266438.00009/15331

If this fax is incomplete or unclear, please call 604 631 3161

If more than one recipient at the same fax number, please copy and distribute to all recipients

Original will be: ☐ Filed ☒ Mailed ☐ Hand Delivered ☐ Couriered

4:12 PM

This communication is confidential and subject to lawyer-client privilege. It is intended only for the recipient(s) named above. Any disclosure, copying or other distribution of this communication or taking any action in reliance on its contents is strictly prohibited. If you receive this fax in error, please notify us immediately by telephone (call collect) and return the original to us by mail without making a copy.

Vancouver Calgary Toronto Ottawa Montréal Québec City London Johannesburg New York

PTO/SB/21 (04-07)

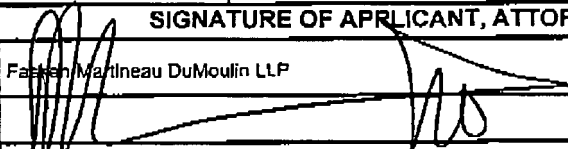
Approved for use through 09/30/2007. OMB 0851-0031

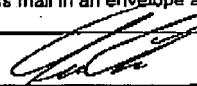
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/516.748
	Filing Date	12/08/2004
	First Named Inventor	RITCHIEY, Jonathan G.
	Art Unit	3744
	Examiner Name	ALI, Mohammad M.
Total Number of Pages in This Submission	Attorney Docket Number	266438.00009

RECEIVED  
CENTRAL FAX CENTER  
JUL 17 2007

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input checked="" type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Statement
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	Credit Card Payment Form
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>		
Firm Name	Fadden Martineau DuMoulin LLP	
Signature		
Printed name	Daniel R. Polonenko	
Date	July 17, 2007	Reg. No. 59,094

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Anne Chow
Date	July 17, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/17 (07-07)

Approved for use through 06/30/2010. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it displays a valid OMB control number

Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4618).**FEE TRANSMITTAL**  
**For FY 2007**☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

**Complete if Known**

Application Number	10/516,746
Filing Date	12/06/2004
First Named Inventor	RITCHEY, Jonathan G.
Examiner Name	ALI, Mohammad M.
Art Unit	3744
Attorney Docket No.	266438.00009

RECEIVED  
CENTRAL FAX CENTER

JUL 17 2007

**METHOD OF PAYMENT (check all that apply)**☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☐ Deposit Account Deposit Account Number: \_\_\_\_\_ Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☐ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

<u>Fee Description</u>	<u>Fee (\$)</u>	<u>Fee (\$)</u>
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>
<u>Fee Paid (\$)</u>		
<u>Multiple Dependent Claims</u>		
<u>Fee (\$)</u>		
<u>Fee Paid (\$)</u>		
<u>Indep. Claims</u>		
<u>Extra Claims</u>		
<u>Fee (\$)</u>		
<u>Fee Paid (\$)</u>		

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Submission of IDS

180.00

**SUBMITTED BY:**

Signature

Name (Print/Type) Daniel R. Polonenko

Registration No. 59,094  
(Attorney/Agent)

Telephone 604 631 4743

Date July 17, 2007

This collection of information is required by 37 CFR 1.135. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

RECEIVED  
CENTRAL FAX CENTER  
JUL 17 2007IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

Applicant: RITCHEY, Jonathan G.  
Serial No.: 10/516,746  
Filed: 12/06/2004  
Title: DEVICE FOR COLLECTING ATMOSPHERIC  
WATER  
Art Unit: 3744  
Docket No.: 266438.00009

FASKEN MARTINEAU DuMOULIN LLP  
Suite 2100, 1075 West Georgia Street  
Vancouver, British Columbia  
Canada, V6E 3G2

Commissioner for Patents  
P.O. Box 1450  
Alexandria Virginia  
USA, 223313-1450

Dear Sir

**STATEMENT UNDER 37.C.F.R. 1.97**

Under the provisions of 37 C.F.R. 1.97, the applicant hereby submits the information set out below which the Examiner may consider to be material to the examination of the application.

Further to a conversation with our office on May 8, 2007, we advised the Examiner that we recently took over as agent for this application and that after receiving the Notice of Allowance reviewed the application for accuracy before issuance. We noted that Form 903 shows receipt of the ISR, however, the Office Action dated September 13, 2006 does not cite the enclosed references from the ISR and therefore such references do not appear to have been considered.

In this respect and under the advice of the Examiner, we hereby submit the enclosed IDS.

Respectfully submitted,



Daniel R. Polonenko  
Reg. No. 59,094  
Tel: 604 631 4743  
Fax: 604 631 3232  
July 17, 2007

PTD/SB/DBA (04-07)

Approved for use through 09/30/2007. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
No collection of information unless it contains a valid OMB control number.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO

(Use as many sheets as necessary)

**Complete if Known**

Application Number	10/516,746
Filing Date	12/06/2004
First Named Inventor	RITCHEY, Jonathan G.
Art Unit	3744
Examiner Name	ALI, Mohammad M.
Attorney Docket Number	266438.00009

[illegible]

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number* Kind Code <sup>3</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>4</sup>
		DE 197 34 887 A	03-04-1999	SASKIA/INST	Col 2, line 15-19;	✓
					36-47; claims 1,6,8	
		FR 2 813 087	02-22-2002	BEAUZAMY, Jacques Pierre	pg 1, line 27 - pg 2	✓
					Line 15-19, 38-47;	
					Claims 1-3, 5, 6, 9	
		CH 608 260	12-29-1978	FRICK, Gotthard	Whole document	✓

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 801.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.*